IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION No: 20777 of 2002

Between:

1 S.Mahaboob Basha S/o Khaja Hussain
R/o D.No.49-1-17, Lakshmi Nagar,
Kurnool.
2 S.Maqbool Ahmeed S/o S.Ahmed Hussain
R/o D.No.49-199-163, Beside Basha Hotel,
Lakshmi Nagar, Kurnool.
3 P.Lakshmi Devi W/o Late Chennaiah
R/o D.No.49-1-172, Lakshmi Nagar,
Kurnool.
4 C.Subbaiah S/o Subbaiah
R/o D.No.49/IA-2-6, Lakshmi Nagar,
Kurnool.

..... PETITIONERS

AND

1 The Divisional Engineer
A.P. Transco, Power House, Opp. KVR College,
Kurnool.
2 The Assistant Engineer
A.P. Transco, B-CAMP,
Kurnool.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to

issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in disconnecting power supply of service connections bearing SC No.60920, SC No.37895, SC No.19635 and SC No.19717 of the petitioners as illegal and arbitrary and consequently direct the Respondents to restore power supply forthwith to service connections bearing SC No.60920, SC No.37895, SC No.19635 and SC No.19717 of the petitioners.

Counsel for the Petitioners: MR.C.PRAKASH REDDY

Counsel for the Respondents: SMT.M.VINOBHA DEVI

The Court made the following:

ORAL ORDER:-

This Writ Petition is filed questioning the disconnection of power supply to the service connection bearing SC.Nos.37895, 60920, 37895, 19635 and 19717 given to the petitioners.

It is stated in the affidavit filed in support of the writ petition that though there are no consumption arrears for the services availed by the petitioners, the respondent authorities without issuing any notice disconnected the power supply.

At the stage of admission, this Court by order, dated 22.10.2002, granted interim order directing the respondents to restore the power supply. Though the writ petition is of 2002, no counter-affidavit has been filed on behalf of the respondents.

It is stated that there are no arrears of consumption and there is no violation of terms and conditions of supply by the petitioners. In that view of the matter, if any requisition is made by the Municipal authorities to disconnect the power supply, the petitioners shall be given an opportunity before disconnecting the power supply. In that view of the matter, I dispose of the writ petition directing the respondents to continue the power supply. But however, if there is any violation of the terms and conditions of supply, it is open for the respondents to take steps according to the terms and conditions of supply.

Subject to the above direction, the writ petition is disposed of. No order as to costs.

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05.07.2005

ES

To

1 The Divisional Engineer
A.P. Transco, Power House, Opp. KVR College,
Kurnool.
2 The Assistant Engineer
A.P. Transco, B-CAMP,
Kurnool.

3 2 CD copies

4 1 CC to MR.PRAKASH REDDY